



STATE MINING & GEOLOGY BOARD
DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA



RESULTS

THE STATE MINING AND GEOLOGY BOARD

Will hold a Regular Business Meeting on:

May 23, 2003

2:00 P.M.

**Hyatt Regency Hotel
1441 Quivira Road
San Diego, CA 92109**

AGENDA

(NOTE: The Chairman may alter the hearing start time or agenda item order during the meeting)

- I Call to Order (Jones)**
- II Roll Call and Declaration of a Quorum**
- III Director's Report (Young, Department of Conservation)** (Information)
- IV Chairman's Report (Jones)** (Information)
- V Executive Officer's Report (Parrish)** (Information)
- VI Good of the Meeting** (Information)
(This time is scheduled to provide the public with an opportunity to address non-agenda items. Those wishing to speak should do so at this time. Speakers are limited to three minutes except by special consent of the Chairman)
- VII Consent Items** (Action)
 - NONE**
 - 1. Approval of Minutes, April 10, 2003, Regular Business Meeting.
 - Staff Report
 - Amended Minutes Approved

Mission of the State Mining and Geology Board is to Represent the State's Interest in the Development, Utilization and Conservation of Mineral Resources; Reclamation of Mined Lands; Development of Geologic and Seismic Hazard Information; and to Provide a Forum for Public Redress

VIII Continued Business Items (These business items have been continued from a previous meeting) **(Action)**

IX New Business **(Action)**

2. Consideration of a Request for Exemption from the Requirements of SMARA Pursuant to PRC Section 2714(f), for removal of an Abandoned Aggregate Material Pile from an Agricultural Site, by Baldwin Contracting, Yuba County

Staff Report

Exemption Granted

3. Approval of Proposed Regulatory Language Clarifying Procedures for the Release of Financial Assurances by Lead Agencies

Staff Report

Proposed Language Modified and Approved for Circulation

4. Issuance of an Order to Comply to Joseph and Yvette Hardesty, and Rick and Deanna Churches, for Failure to Provide a Financial Assurance Instrument for the Reclamation of the Donovan Ranch Property, as Required by the Surface Mining and Reclamation Act

Staff Report

Order Issued, Public Hearing Set for July 10

6. **PUBLIC HEARING.** Pursuant to PRC Section 2696(b) and 14CCR Section 3723(a), a hearing will be conducted to receive public comments and recommendations for the Preliminary Seismic Hazard Maps specific to the areas encompassed in the Acton and Pacifico Mountain quadrangles in Los Angeles County. Individuals are encouraged to present comments to the SMGB at this time.

no comments received

X Special Reports and Department Presentations **(Information)**

(Based on these Reports, the Chairman may instruct the Board staff to initiate administrative actions)

NONE

XI SMGB Committee Reports **NONE**

XII Executive Session (Closed to the Public)

[The Board will discuss information from its legal counsel on pending litigation and may take appropriate actions based on this information. This session is being held under Government Code § 11126.] Items to be discussed:

- a) Calvert, et al vs. SMGB et al, Case # OOCs01434, Sacramento Superior Court
- b) Loring Brunius vs. SMGB, Case # PC 20010449, El Dorado County

(Information)

- c) An un-named case where there is potentially significant exposure to litigation against the Board.

XIII Reopen Regular Business Session, Announce Results of Executive Session

No Actions Were Taken

XIV Announcements of Future Meetings **June 19, 2003 announced as next meeting date**

XV Adjournment

NOTE: ITEMS TO BE CONSIDERED FOR PLACEMENT ON A BOARD MEETING AGENDA MUST BE SUBMITTED NOT LATER THAN THIRTY (30) DAYS PRIOR TO THE SCHEDULED MEETING.

NOTE: BOARD MEETINGS ARE OPEN TO THE PUBLIC AND ARE HELD IN BARRIER FREE FACILITIES IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. FOR ADDITIONAL INFORMATION OR ASSISTANCE, CONTACT THE BOARD OFFICE.

NOTE: INFORMATION REGARDING STATE MINING AND GEOLOGY BOARD MEETINGS MAY BE OBTAINED BY CALLING THE BOARD OFFICE AT (916) 322-1082. COPIES OF STAFF REPORTS AND APPROVED MINUTES MAY BE OBTAINED BY WRITING THE BOARD OFFICE AT 801 'K' STREET, MS 24-05, SACRAMENTO, CALIFORNIA 95814 OR BY ACCESSING THE BOARD'S WEB SITE: <http://www.consrv.ca.gov/smgb/>

NOTE: IF YOU WISH TO COMMENT ON AN AGENDA ITEM OR SPEAK DURING THE PUBLIC COMMENTS PERIOD, PLEASE FILL OUT A "REQUEST TO SPEAK" FORM, AVAILABLE AT THE MEETING ROOM ENTRANCE, AND GIVE IT TO THE BOARD SECRETARY. PLEASE DELIVER THE FORM PRIOR TO THE ITEM BEING HEARD BY THE BOARD. DURING THE PUBLIC COMMENT PERIOD, EACH SPEAKER IS LIMITED TO A MAXIMUM OF THREE MINUTES. AT THE DISCRETION OF THE CHAIRMAN, MORE TIME MAY BE GRANTED.

NOTE: INDIVIDUALS ARE ENCOURAGED TO SUBMIT WRITTEN STATEMENTS OF ANY LENGTH AND DETAIL TO THE BOARD. IT IS PREFERABLE THAT THESE STATEMENTS BE SUBMITTED **AT LEAST FIFTEEN DAYS PRIOR TO THE MEETING** SO THAT THE BOARD MEMBERS CAN PREVIEW THE INFORMATION BEFORE THE MEETING. PLEASE SUBMIT 12 COPIES OF ALL WRITTEN MATERIALS IN EXCESS OF TWO PAGES. THE BOARD WILL NOT REPRODUCE REPORTS IN EXCESS OF TWO PAGES OR LARGE MAPS, PHOTOS, OR OTHER DOCUMENTS REQUIRING SPECIAL HANDLING.
INDIVIDUALS ARE RESPONSIBLE FOR PRESENTING THEIR PROJECTS AT THE PUBLIC HEARING.

NOTE: A CLOSED SESSION MAY BE CALLED BY THE CHAIRMAN TO DISCUSS LITIGATION AND OTHER PRIVILEGED ATTORNEY/CLIENT COMMUNICATIONS BY AUTHORITY OF GOVERNMENT CODE §11126(q) AND SACRAMENTO NEWSPAPER GUILD vs. SACRAMENTO COUNTY BOARD OF SUPERVISORS [1968] 266(b) CAL. APP. 2nd, 41; BASIS OF "LITIGATION" EXCEPTION IS THE ATTORNEY/CLIENT PRIVILEGE.

NOTE: AS A STATE AGENCY, THE BOARD IS GOVERNED BY THE BAGLEY-KEENE OPEN MEETING ACT THAT REQUIRES THE BOARD TO (1) PUBLISH AN AGENDA AT LEAST TEN DAYS IN ADVANCE OF ANY MEETING; (2) DESCRIBE IN THE AGENDA SPECIFIC ITEMS TO BE TRANSACTED OR DISCUSSED; AND, (3) REFUSE TO ADD AN ITEM AFTER THE AGENDA IS PUBLISHED.